

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

Chapter 7

MICHAEL P. D’ALESSIO, et al.,  
  
Debtors.

Case No.: 18-22552 (RDD)  
Jointly-Administered

-----X

**ORDER AUTHORIZING THE EMPLOYMENT OF CBIZ ACCOUNTING, TAX &  
ADVISORY  
OF NEW YORK, LLC AS FINANCIAL ADVISORS TO THE CHAPTER 7 TRUSTEE**

Upon the application, dated September 20, 2018 (the “Application”) of Marianne T. O’Toole, the Chapter 7 trustee (“Trustee”) of the jointly-administered estates of Michael P. D’Alessio, et al. (collectively, the “Debtors”), seeking the entry of an order approving the employment of CBIZ Accounting, Tax & Advisory of New York, LLC (“CBIZ NY”) as financial advisors to the Trustee, effective as of the dates set forth in the Application; and upon the affidavit, dated August 9, 2018 of Esther DuVal, CPA in support of the Application; and it appearing that (i) CBIZ NY neither represents nor holds any interest adverse to the Debtors or to the Debtors’ estates, (ii) CBIZ NY is a “disinterested person” as that term is defined in 11 U.S.C. § 101(14) (the “Bankruptcy Code”), and (iii) the employment of CBIZ NY is necessary and would be in the best interests of the Debtors’ estates; and no additional notice being required, it is now hereby

ORDERED that the Application is granted and, in accordance with section 327(a) of the Bankruptcy Code, the Trustee is authorized to employ and retain CBIZ NY as her financial advisors to, among other things:

- i. assist the Trustee in marshaling and liquidating the Debtors’ assets;
- ii. perform an investigation and analyses of potential recovery of chapter 5 claims, including analyzing transactions with insiders, related companies and/or affiliated

companies, for the period prior to the commencement of the Debtors' Chapter 7 cases;

- iii. scrutinize cash disbursements for the period before the commencement of the Debtors' Chapter 7 cases;
- iv. provide litigation support to the Trustee in connection with litigation to avoid and recover assets of the estate or pursue claims;
- v. assist the Trustee with the safeguarding and maintenance of the Debtors' information technology systems and data integrity;
- vi. prepare Federal, State, and Local tax returns and requisite disclosures on behalf of the Trustee and the Debtors' estates as requested by the Trustee;
- vii. reconcile filed proofs of claim as requested by the Trustee; and
- viii. perform services necessary to preserve the assets of the Debtors' estates, as requested by the Trustee;

and it is further

ORDERED, that CBIZ NY will file interim and final fee applications for allowance of its compensation and expenses in accordance with Bankruptcy Code sections 330 and 331, as the case may be, and the applicable Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules for the Southern District of New York, and fee and expense guidelines and orders of the Court, and shall be paid only after notice and a hearing; and it is further

ORDERED, that at least ten business days before implementing any increases in CBIZ NY's hourly rates above those set forth in the Application, CBIZ NY shall file and serve a supplemental affidavit with the Court (the "Supplemental Affidavit"). The Supplemental Affidavit shall explain the basis for the requested rate increase in accordance with Bankruptcy Code section 330(a)(3)(F). All parties in interest, including the United States Trustee, retain all rights to object to or otherwise respond to any rate increase on any and all grounds, including, but not limited to, the reasonableness standard provided for in Bankruptcy Code section 330.

Dated: October 1, 2018  
White Plains, New York

/s/Robert D. Drain  
Honorable Robert D. Drain  
United States Bankruptcy Judge

NO OBJECTION:

William K. Harrington  
United States Trustee for Region 2

By s/ Greg Zipes 9/23/18  
Greg Zipes, Trial Attorney